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Request For Continued Examination (RCE) **Transmittal**

Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Application Number	09/534,960
Filing Date	March 27, 2000
First Named Inventor	Michael Friedman
Art Unit	1615
Examiner Name	Sharon Lee Howard
Attorney Docket No.	03940/000K188-US0

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June

Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).							
a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.							
i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on							
ii. Other							
b. x Enclosed							
i. X Amendment/Reply iii. Information Disclosure Statement (IDS)							
ii. Affidavit(s)/Declaration(s) iv. Other							
2. Miscellaneous							
a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a							
period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)							
b. Other							
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.							
a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.							
i. X RCE fee required under 37 CFR 1.17(e)							
ii. Extension of time fee (37 CFR 1.136 and 1.17)							
01 EC-1901 770.00 DF							
III. \(\square\) Other \(\sum_{\text{Extra Claims fees}} \)							
b. X Check in the amount of \$ 806.00 enclosed							
c. Payment by credit card (Form PTO-2038 enclosed)							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED							
Name (Print/Type) Sandra S. Lee Registration No. (Attorney/Agent) 51,932							
Signature Sundin Lee Date March 15, 2004							

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		_						First Named Inventor				Michael Friedman	
	E#6	ective 10/0	1/2003,	Patent rees are	e subject to ann	nual revision.	—[Examiner Name				Sharon Lee Howard	
	A	pplicant o	laims s	mall entity s	tatus. See 3	7 CFR 1.27	[Art Unit				1615	
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	Charg	e fee(s) ind	licated t	below X	Credit any o	verpayments	1053	130	1053	130	Non-Engli	sh specification	
	Charg	e any addi	tional fe	e(s) or any unc	derpayment of f	fee(s)	1812	2,520	1812	2,520	For filing a	request for ex parte reexamination	
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	<u> </u>			sit account.			1805	1,840*	1805	1,840°		ng publication of SIR after	
			FEE C	CALCULAT	ION		1251	110	2251	55	Examiner Extension	for reply within first month	
	1. BASIC			*******			1252	420	2252	210	Extension	for reply within second month	
	Large Entit	y Small	Entity				1253	950	2253	475	Extension	for reply within third month	
	Fee Fee Code (\$)		Fee (\$)	Fee Des	scription	Fee Paid	1254	1,480	2254	740	Extension	for reply within fourth month	
	1001 770	_ I	385	Utility fili	ng fee		1255	2,010	2255	1,005	Extension	for reply within fifth month	
	1002 340	2002	170	Design fi	· 1		1401	330	2401	165	Notice of	Appeal	
	1003 530	2003	265	Plant filir	ng fee		1402	330	2402	165	Filing a br	ief in support of an appeal	
	1004 770	2004	385	Reissue	filing fee		1403	290	2403	145	Request f	or oral hearing	
	1005 160	2005	80	Provision	nal filing fee		1451	1,510	1451	1,510	Petition to	institute a public use proceeding	
			SUBT	TOTAL (1)	(\$)	0.00	1452	110	2452	55	Petition to	revive - unavoidable	
					(4)	5.55	1453	1,330	2453	665	Petition to	revive - unintentional	
	2. EXTRA	A CLAIN	1 FEE		LITY AND	REISSUE	1501	1,330	2501	665	Utility issu	ie fee (or reissue)	
				Extra Claims	Fee from below	Fee Paid	1502	480	2502	240	Design iss	sue fee	
	Total Claims		-** =	2 x	18 =	36.00	1503	640	2503	320	Plant issu	e fee	
•	Independent Claims		-** =	x[=		1460	130	1460	130	Petitions 1	to the Commissioner	
	Multiple Dep	endent			=		1807	50	1807	50	Processin	g fee under 37 CFR 1.17(q)	
	Large Entity	y Small	Entity				1806	180	1806	180	Submissio	on of Information Disclosure Stmt	
	Fee Fee Code (\$)		Fee (\$)	<u>Fe</u>	e Description	<u>n</u>	8021	40	8021	40		each patent assignment per times number of properties)	
	1202 18	2202		Claims in exc			1809	770	2809	385	Filing a su (37 CFR 1	ubmission after final rejection	
	1201 86	2201		•	claims in exce		1810	770	2810	385	For each	additional invention to be	
	1203 290	1			ndent claim, if	· · ·	l				examined	(37CFR 1.129(b))	770.00
	1204 86	2204	43	** Reissue ind over origina	dependent clai al patent	ıms	1801	770	2801	385	•	or Continued Examination (RCE) or expedited examination	770.00
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	SUBTOTAL (2) (\$) 36.00	*Reduced by Bas	sic Filing Fee Paid	SUBTOTAL (3) (\$) 770.00		
	iously paid, if greater; For Reissues, see above	<u> </u>		(Carralata	(if and inchin)	
SUBMITTED BY				(Complete	(if applicable))	
Name (Print/Type)	Sandra S. Lee	Registration No. (Attorney/Agent)	51,932	Telephone	(212) 527-7735	
Signature	Sandra lie			Date	March 15, 2004	

Other fee (specify)

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and over original patent

Docket No.: 03940/000K188-US0 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Michael Friedman et al.

Application No.: 09/534,960

Filed: March 27, 2000 Art Unit: 1615

For: CONTROLLED DELIVERY SYSTEM OF

ANTIFUNGAL AND KERATOLYTIC
AGENTS FOR LOCAL TREATMENT OF
FUNGAL INFECTIONS OF THE NAIL AND

SURROUNDING TISSUES

Examiner: Sharon Lee Howard

AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This amendment is filed concurrently with a Request for Continued Examination.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this amendment.

Remarks begin on page 10 of this amendment.

Attorney Docket No.: 03940/000K188-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. 2983945561 -Usin an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on March 15, 2004

Date

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Request for Continued Examination Transmittal (1 page) Fee Transmittal (1 page) Check in the amount of \$806.00 (Ch. No. 4442)

Amendment (10 pages)

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